

FILED-CLERK
U.S. DISTRICT COURT
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TX EASTERN-MARSHALL

UNITED STATES DISTRICT COURT

for the
Eastern District of Texas

TELINIT TECHNOLOGIES, LLC
(Plaintiff)

v.

SPOTIFY USA INC.
(Defendant/Third-Party Plaintiff)

v.

GARY ODOM DBA PATENT HAWK
LLC
(Third-Party Defendant)

BY _____

Civil Action No.
2:13-CV-803-JRG-RSP

Reply to Motion Opposition

Your Honor:

Spotify's opposition to my motion to dismiss or transfer and for sanctions is bluster with no basis in fact or law. Their long-winded fabrication tries to cover over the central fact that is relevant: they are lying about something that never happened to dupe you.

Dismissal - Spotify's accusation of "breaching his agreement by giving Spotify's confidential information to Telinit" is *utterly false, with no basis in reality*. Spotify claiming "this story reeks" is wishful fantasy, not fact. There is not a single shred of evidence to support their deceptive complaint, because it never happened. This singular truth is dispositive. Spotify's complaint against me is frivolous, and merits dismissal and sanctions for bad faith.

Everything else that Spotify blabbers on about is irrelevant, and solely intended to bias the court.

Transfer - Spotify brought up a previous patent complaint brought by me in Texas in 2008, which was transferred to Oregon. My alternate motion for transfer only requests what had previously been adjudicated when I was involved in litigation in Texas, and is merited under the same case law and legal reasoning that prevailed before.

Patent Hawk has no business presence in Texas. All the work I do is from my home office in southern Oregon. It is unreasonable to expect me to litigate against lies in a Federal court thousands of miles away, when such a complaint, however baseless, is rightfully a state court matter.

Otherwise, Spotify makes hollow arguments based upon legal technicalities, which unprincipled litigators so readily stoop to when facts are solidly against them. Justice requires that they be held accountable for the scurrilous falsehood that lies at the heart of their babble.

Please dismiss Spotify's complaint and sanction them for being unscrupulous dissemblers.

Dated: March 13, 2014



Respectfully submitted,

By:

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CERTIFICATE OF SERVICE

This is to certify that all counsel of record will be served with a copy of this document via first class U.S. mail.